

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re
GBG USA Inc., *et al.*,¹

Debtors.

Chapter 11
Case No. 21-11369
(MEW)
Jointly Administered

PETER HURWITZ, AS LITIGATION TRUSTEE OF THE
GBG USA LITIGATION TRUST,

Plaintiff,

Adversary Proceeding
Adv. Proc. Case No. 23-
01022 (MEW)

v.

RICHARD NIXON DARLING, MARK JOSEPH CALDWELL,
RONALD VENTRICELLI, ROBERT K. SMITS, STEPHEN
HARRY LONG, BRANDON CARREY, FUNG HOLDINGS
(1937) LIMITED, FUNG DISTRIBUTION INTERNATIONAL
LIMITED, STEP DRAGON ENTERPRISE LTD., GOLDEN
STEP LIMITED, WILLIAM FUNG KWON LUN, KING LUN
HOLDINGS LIMITED, FIRST ISLAND DEVELOPMENTS
LIMITED, VICTOR FUNG KWOK KING, SPENCER
THEODORE FUNG, HSBC TRUSTEE (C.I.) LIMITED,
BRUCE PHILIP ROCKOWITZ, AND HURRICANE
MILLENNIUM HOLDINGS LIMITED,

Defendants.

**NOTICE OF DISMISSAL OF THE ADVERSARY PROCEEDING AS TO
CLAIMS ASSERTED AGAINST DEFENDANTS RICHARD NIXON DARLING,
MARK CALDWELL, RONALD VENTRICELLI, ROBERT K. SMITS,
BRANDON CARREY, STEPHEN HARRY LONG**

¹ The “Debtors” in these chapter 11 cases and the last four digits of each Debtor’s federal taxpayer identification number are as follows: GBG USA Inc. (2467), Jimlar Corporation (8380), GBG North America Holdings Co., Inc. (5576), Homestead International Group Ltd. (0549), IDS USA Inc. (7194), MESH LLC (8424), Frye Retail, LLC (1352), Krasnow Enterprises, Inc. (0122), Krasnow Enterprises Ltd. (0001), Pacific Alliance USA, Inc. (0435), GBG Spyder USA LLC (9108), and GBG Sean John LLC (1287). The Debtors’ mailing address was GBG USA Inc., P.O. Box 4965, Greensboro, NC 27404.

PLEASE TAKE NOTICE that, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, as applicable in this Adversary Proceeding pursuant to Rule 7041 of the Federal Rules of Bankruptcy Procedure, Peter Hurwitz, as trustee (the “Plaintiff”) of the GBG USA Inc. Litigation Trust hereby dismisses with prejudice all claims against Defendants Richard Nixon Darling, Mark Caldwell, Ronald Ventricelli, Robert K. Smits, Brandon Carrey, and Stephen Harry Long.

Federal Rule of Civil Procedure 41(a)(1)(A)(i) permits the Plaintiff to voluntarily dismiss certain claims in this adversary proceeding without further order of the Court by filing this Notice of Dismissal. As of the date hereof, no Defendant in the above-captioned adversary proceeding has served an answer or a motion for summary judgment.

For the avoidance of doubt, this voluntary dismissal with prejudice applies solely to Defendants Richard Nixon Darling, Mark Caldwell, Ronald Ventricelli, Robert K. Smits, Brandon Carrey, and Stephen Harry Long, and does not apply to the claims of the Plaintiff against any other above-captioned Defendant in this Adversary Proceeding.

Dated: January 18, 2024

GRANT & EISENHOFER P.A.

By: /s/ Gordon Z. Novod

Gordon Z. Novod, Esq.
485 Lexington Avenue, 29th Floor
New York, New York 10017
Telephone: (646) 722-8523

Counsel for the Plaintiff